

February 3, 2016

The regular meeting of the Everett City Council was called to order at 6:30 p.m., February 3, 2016, in the City Council Chambers of the William E. Moore Historic City Hall, Council President Murphy presiding. Upon roll call, it was found that Mayor Stephanson and Council Members Roberts, Moore, Murphy, Franklin, Bader, Stonecipher, and Tuohy were present.

Council Member Franklin led the Pledge of Allegiance.

The minutes of the January 23, 2016, City Council special meeting /retreat were approved as printed.

The minutes of the January 27, 2016, City Council meeting were approved as printed.

MAYOR

Mayor Stephanson announced that the City of Everett is ready to house the first five chronically homeless individuals; the City has identified the four men and one woman who will be housed first. The Mayor stated that 20 units will be ready by the end of June 2016. He shared the challenge the City faces finding available units in our community with less than two percent rental vacancy rate.

APPOINTMENTS

Moved by Council Member Roberts, seconded by Council Member Franklin, to concur with the following appointments:

Civil Service Commission

Appointment of Ronald Behee to Position 3 for a six-year term, ending December 31, 2021.

Lodging Tax Advisory Committee

Appointment of Kristy Kentch to Position 2 for the remainder of a four-year term, ending December 31, 2019.

February 3, 2016

Roll was called with all council members voting yes.

Motion carried.

Mayor Stephanson commented on the Everett Housing Forum held on February 1, 2016, at the Historic Everett Theatre. He thanked council members for their support.

President Murphy wished the Mayor a happy birthday.

COUNCIL

Council members echoed President Murphy comments and wished the Mayor a happy birthday.

Council Member Moore thanked the Mayor, colleagues, citizens, and members of the Streets Initiative Task Force for their work.

Council Member Franklin reminded the public that the Lodging Tax Advisory meeting is scheduled for February 10, 2016, 10:00 a.m. She also encouraged the public to attend the fifth annual Shakaroo benefit concert for the Everett Animal Shelter on February 13, 2016, at the Everett Performing Arts Center.

Council Member Bader reported on his attendance at the Everett Housing Forum held on February 1, 2016. He also announced that the Growth Management Policy Board of the Puget Sound Regional Council will meet tomorrow and the Comprehensive Plan for Everett will be recommended for approval and certification.

Council Member Stonecipher reported on her attendance at the Future of Baker Heights Choice Neighborhoods Initiative Planning Grant community meeting held on January 21, 2016, at the Bakerview Community Hall.

Council Member Roberts thanked the Mayor for his leadership on the Streets Initiative program. He also reported on his attendance at the City Action Days conference in Olympia, through the Association of Washington Cities and provided a brief overview of AWC priorities for the 2016 legislative session.

February 3, 2016

Council Member Tuohy announced that the Public Safety Subcommittee will meet on March 2, 2016. She also thanked the Mayor for his leadership on the Streets Initiative program.

Council Member Murphy reported on his attendance at the Everett Housing Forum held on February 1, 2016, and raised a question about the operation of a dedicated facility for homeless people after the construction of such facility is done.

Mayor Stephanson stated that for the first 20 units, the YWCA will provide wraparound services. The Mayor also noted that there are organizations that provide a wraparound services; one of them is Community Catholic Services.

President Murphy presented a Memorandum of Understanding with the Everett Housing Authority concerning the Choice Neighborhoods Initiative.

MEMORANDUM OF UNDERSTANDING – CHOICE NEIGHBORHOODS
INITIATIVE

Moved by Council Member Stonecipher, seconded by Council Member Franklin, to authorize the Mayor to execute a Memorandum of Understanding with the Everett Housing Authority concerning the Choice Neighborhoods Initiative.

Allan Giffen, Planning provided a short briefing.

Roll was called with all council members voting yes.

Motion carried.

ADMINISTRATION UPDATE ON PRIOR BUSINESS

Debra Bryant, Administration, had no report.

February 3, 2016

CITY ATTORNEY

City Attorney Iles requested an executive session, anticipated to last no longer than 10 minutes, concerning a litigation matter pursuant to RCW 42.30.110(1)(i)(b)(c) with an announcement to follow.

CITIZEN COMMENTS

Victor Pierce, Everett, spoke about proactive ministries in the community.

Jackie Minchew, Everett, spoke about economic challenges for the energy- producing companies.

J. T. Dray, Everett, spoke about Everett Transit's neighborhood services and new technologies in the transportation industry.

COUNCIL BRIEFING AGENDA:

COUNCIL BILL 1601-03

FIRST READING:

AN ORDINANCE terminating the Amended Development Agreement with Rockefeller Avenue LLC for property on the east side of Rockefeller Avenue between 26th Street and Everett Avenue, amending Section 1-5 of Ordinance No. 2847-05

Presented by Allan Giffen, Planning

COUNCIL BILL 1601-04

FIRST READING:

AN ORDINANCE creating a Special Improvement Project entitled "Forest Park Swim Center Improvements Project", Fund 354, Program 048, to accumulate all costs for the improvement project

Presented by Paul Kaftanski, Parks

February 3, 2016

CONSENT ITEMS:

Moved by Council Member Roberts, seconded by Council Member Bader, to approve the following consent items:

RESOLUTION - CLAIMS

To adopt Resolution No. 6943 acknowledging the payment of audited and approved claims against the City of Everett in the amount of \$1,901,268.40 for the period of January 16, 2016, through January 22, 2016.

RESOLUTION - PAYROLL

To adopt Resolution No. 6944 acknowledging payment of audited and approved payroll claims against the City of Everett in the amount of \$3,696,334.90 for the period ending January 9, 2016.

Roll was called with all council members voting yes.

Motion carried.

PUBLIC HEARING – COUNCIL BILL 1601-02:

President Murphy opened a public hearing regarding Council Bill No. 1601-02, a proposed ordinance establishing a moratorium on the establishment of additional retail marijuana stores and marijuana cooperatives, and declaring an emergency to exist.

Allan Giffen, Planning, provided a brief overview of the proposed ordinance.

President Murphy invited public comment.

Kent Peverly, Richard Ek, Jackie Minchew, Jessica Jordan, all of Everett, spoke in support of the proposed ordinance.

February 3, 2016

Shane Gallagher and Diane Brooks, of Everett, spoke in opposition to the proposed ordinance.

Moved by Council Member Moore, seconded by Council Member Roberts, to close the public hearing.

Roll was called with all council members voting yes.

Motion carried.

COUNCIL BILL NO. 1601-02

FIRST, SECOND, THIRD AND FINAL READING:

AN ORDINANCE establishing a moratorium on the establishment of additional retail marijuana stores and marijuana cooperatives, and declaring an emergency to exist

Considerable discussion ensued.

Moved by Council Member Franklin, seconded by Council Member Bader, that this is declared to be an emergency, and that this is the first, second, third and final readings of Council Bill No. 1601-02, and the city clerk is directed to call the roll for the final disposition of the ordinance.

AYES: Moore, Murphy, Franklin, Bader
NAYS: Roberts, Stonecipher, Tuohy
EXCUSED: None

Motion failed.

ACTION ITEMS:

COUNCIL BILL NO. 1601-01

THIRD AND FINAL READING:

February 3, 2016

AN ORDINANCE creating a special improvement project entitled, "South Everett Forest Preserve Recreation Improvements", Fund 354, Program 047, to accumulate all costs for the improvement project

Moved by Council Member Bader, seconded by Council Member Stonecipher, that this is declared to be the third and final reading of Council Bill No. 1601-01, and the city clerk is directed to call the roll for the final disposition of the ordinance.

AYES: Roberts, Moore, Murphy, Franklin, Bader,
Stonecipher, Tuohy
NAYS: None
EXCUSED: None

Ordinance No. 3477-16 adopted.

WORK AUTHORIZATION – FIELD LIGHTING REPLACEMENT

Moved by Council Member Stonecipher, seconded by Council Member Bader, to authorize the Mayor to sign the Snohomish County Public Utility District No. 1 Work Authorization field lighting replacement at Kasch Park.

Roll was called with all council members voting yes.

Motion carried.

AGREEMENT – ON-CALL SURVEYING SERVICES

Moved by Council Member Roberts, seconded by Council Member Stonecipher, to authorize the Mayor to sign a Local Agency Standard Consultant Agreement for on-call surveying services with each of the prequalified firms for on-call surveying services for City projects.

February 3, 2016

Roll was called with all council members voting yes.

Motion carried.

AGREEMENT AMENDED – ENGINEERING AND CONSTRUCTION
MANAGEMENT SERVICES

Moved by Council Member Franklin, seconded by Council Member Roberts, to authorize the Mayor to sign Amendment No. 1 to the Professional Services Agreement with HDR Engineering, Inc. to provide engineering and construction management services for the Water Pollution Control Facility Diversion Structure Zero project in an amount not to exceed \$821,038.00.

Roll was called with all council members voting yes.

Motion carried.

AGREEMENT AMENDED – ENGINEERING AND CONSTRUCTION
MANAGEMENT SERVICES

Council Member Moore stated that he is employed by the Everett School District No. 2 and recused himself from the vote on this item.

Council Member Moore left the council chambers.

Moved by Council Member Bader, seconded by Council Member Stonecipher, to authorize the Mayor to sign the First Amendment to lease agreement with Everett School District No. 2 for space at 2911 California Avenue use by Everett Transit Facilities.

Roll was called with all council members voting yes, except Council Member Moore who was recused.

Motion carried.

Council Member Moore returned to the council chambers.

February 3, 2016

LEASE AGREEMENT – SENATOR PATTY MURRAY

Moved by Council Member Franklin, seconded by Council Member Tuohy, to authorize the Mayor to sign the lease agreement with Senator Patty Murray for lease of space in the Wall Street Building.

Roll was called with all council members voting yes.

Motion carried.

GRANT AWARDS – CULTURAL ARTS COMISSION

Council Member Tuohy stated that she is employed by the Arts Council of Snohomish County and recused herself from the vote on this and the next item.

Council Member Tuohy left the council chambers.

Moved by Council Member Moore, seconded by Council Member Franklin, to approve the 2016 Cultural Arts Commission capital and programming grant awards as designated, in an amount not to exceed \$40,000.00.

Roll was called with all council members voting yes, except Council Member Tuohy who was recused.

Motion carried.

RESOLUTION – 2016 HUMAN NEEDS FUNDS

Council Member Franklin stated that she is employed as the CEO of Cocoon House and recused herself from the vote on this item.

Council Member Franklin left the council chambers.

February 3, 2016

Moved by Council Member Roberts, seconded by Council Member Bader, to adopt a Resolution No. 6945 for expenditure of 2016 Human Needs funds in the amount of \$423,200.00.

Roll was called with all council members voting yes, except Council Members Franklin and Tuohy who were recused.

Motion carried.

Council Members Franklin and Tuohy returned to the council chambers at 8:06 p.m.

EXECUTIVE SESSION

The City Council meeting recessed for an executive session at 8:06 p.m.

The City Council meeting reconvened at 8:13 p.m.

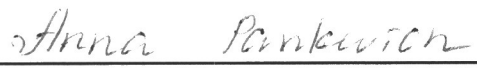
Moved by Council Member Roberts, seconded by Council Member Bader, to authorize the City to retain the services of Keller Rohrback Law Offices, LLP to represent the City, along with Spokane and Tacoma, in litigation to bring an action and seek damages against the companies selling aluminum sulfate to the City for water treatment purposes, whose practices have created anticompetitive sales resulting in payments by the City of artificially high prices for aluminum sulfate over the years.

Roll was called with all council members voting yes.

Motion carried.

February 3, 2016

The City Council meeting adjourned at 8:14 p.m.


Deputy City Clerk

Read and approved as printed.


Council President